

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION

**FILED**

**MAY 23 2013**

Clerk, U.S. District Court  
District Of Montana  
Missoula

UNITED STATES OF AMERICA,

Plaintiff,

vs.

REBECCA ROSE EAGLEMAN,

Defendant.

CR 06-32-GF-DLC-RKS

ORDER

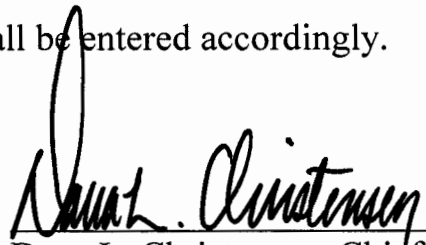
This case was referred to United States Magistrate Judge Keith Strong for a revocation hearing and findings and recommendations. Judge Strong entered findings and recommendations on May 1, 2013. He found that Defendant violated Special Condition #9 of her supervised release by admitting to inhaling intoxicating fumes from three cans of hair spray in the weeks preceding November 26, 2012. Judge Strong recommends that this Court revoke Defendant's supervised release and commit her to the custody of the United States Bureau of Prisons for a term of imprisonment of 3 months with 27 months supervised release. No objections have been filed by either party, and Judge Strong's

findings and recommendations are therefore reviewed for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach, Inc.*, 656 F.2d 1309, 1319 (9th Cir. 1981).

This Court agrees with Judge Strong's finding that Defendant violated Special Condition #9 of her supervised release by abusing inhalants. Defendant admitted to the violation and allocuted before Judge Strong, indicating that she is trying to regain custody of her son which has motivated her to address her addiction issues. Judge Strong is also correct that the United States Sentencing Guidelines call for 3 to 9 months imprisonment, and a term of supervised release up to 30 months less any custodial time imposed. This Court agrees that a sentence of 3 months custody, with credit for time served, followed by 27 months supervised release is appropriate given Defendant's history of a prior supervised release violation and addiction struggles. Judge Strong's recommendations will be adopted in full.

IT IS ORDERED that Judge Strong's Findings and Recommendations (doc. 93) are ADOPTED in full and Judgment shall be entered accordingly.

Dated this 23<sup>rd</sup> day of May, 2013.

  
Dana L. Christensen, Chief Judge  
United States District Court